

Local Civil Rule 94.07W
DOMESTIC RELATIONS MOTIONS

(a) Family court motions. Family court motions shall be scheduled on the family court dockets in Benton and Franklin counties in accordance with the docket schedule approved by the Superior Court judges. Docket days and times are available through the Superior Court Administrator's Office or the Superior Court Clerk's office.

(1) Benton County Family Court motions.

(A) Benton County family court motions requiring more than ten minutes for argument shall be noted on the over-ten domestic docket which starts at 8:30 a.m. Should more than fifty (50) cases be noted for argument on the morning docket, those in excess of fifty (50) shall automatically be scheduled to be heard on the afternoon domestic docket of the same day and the parties shall be notified of such by the Superior Court Clerk's office. Any case scheduled but not heard on the morning docket shall be heard on the afternoon domestic docket of the same day which starts at 1:30 p.m.

(B) All Benton County family court motions requiring less than ten (10) minutes for argument and all pro se domestic motions, except for motions regarding relocation, shall be heard on the afternoon domestic relations docket which starts at 1:30 p.m.

(C) Benton County relocation motions shall be heard on the Prosser domestic docket.

(D) Franklin County relocation motions shall be noted as a special setting with the Court Administrator and filed with the Clerk.

(2) Declarations (Benton and Franklin Counties).

(A) Generally. Absent prior authorization from the court, the entirety of all declarations and affidavits, including attachments, from the moving party, including any expert or non-expert witnesses, in support of a motions hearing (or a continuation of a motions hearing), including any reply by the moving party, shall be limited to a sum total of twenty-five (25) pages, excluding cover page and fax transmittal affidavit, which shall be filed in the Clerk's office and served on the other party by noon on the day prior to the hearing. The entirety of all declarations and affidavits, including attachments, submitted in response by the non-moving party, to a motions hearing (or a continuation of a motions hearing) shall be limited to a sum total of 20 pages. If the declarations and affidavits, including attachments, are in excess of the page limitations, the entirety of the submission will not be reviewed or considered by the court. All declarations and affidavits must comply with GR14 (format for pleadings and other papers), be legibly hand-printed or typed in at least twelve (12) point type.

(i) Authorization to exceed the declaration page limitation shall be in writing and filed under the respective cause number in the Superior Court Clerk's office.

(ii) Any motion to exceed the page limit shall be in writing with notice to the opposing party, and shall be brought before the judicial officer that will be deciding the original motion.

(iii) In no event shall the page limit exceed 35 pages.

(B) Exhibits. Exhibits to any declaration shall count towards the above page limit.

(C) Financial declarations. Financial declarations, child support worksheets, and financial documents do not count toward the page limit.

(D) Expert reports and evaluations. Declarations, affidavits, and reports from Family Court Investigator, and Guardians ad Litem do not count toward the page limit.

(E) Miscellaneous exceptions. Copies of declarations or affidavits clearly marked as previously filed for a motion already ruled upon and supplied only as a convenience to the court in lieu of the court file do not count toward the page limit.

(3) Time for Argument.

(A) Each side on the over-ten family Court motion docket is allowed seven (7) minutes for oral argument including rebuttal unless otherwise authorized by the court. Authorization to exceed the oral argument time limit by up to four minutes may be granted if the court determines that exceptional circumstances warrant authorization. Such authorization must be obtained prior to commencement of the docket.

Each side on the regular domestic docket is allowed five (5) minutes for oral argument including rebuttal.

(B) Bench copies. All motions, briefs, declarations, affidavits, and other supporting written documentation pertaining to trials, summary judgments motions, appeals from decisions of administrative agencies (except the record transferred by the agency) and any other motions, and other documents submitted for hearings, such as pre-trial position statements in domestic cases, trial management reports, proposed findings of fact and conclusions of law and judgments, and guardian ad litem reports (including criminal and domestic relations), shall be served and filed in the cause. Unless a party does not have access to a computer or the internet, bench copies of all such documents, as well as settlement position statements, shall be submitted electronically via the internet at <http://motion.co.franklin.wa.us/>. Parties without access to a computer and the internet shall deliver bench copies to the Court Administrator at the Benton County Justice Center. All bench copies must be submitted not later than noon one court day prior to the scheduled hearing, proceeding or trial. No bench copies, except settlement position statements, shall be submitted to the Court unless a copy has been served upon or mailed to opposing counsel or party if unrepresented. Bench copies submitted electronically are deleted from the system forty-five (45) days after the associated hearing. Bench copies submitted on paper are destroyed five (5) court days after the associated hearing unless counsel requests copies be returned, with return postage arranged, or unless Court Administration is advised of the new hearing date. When hearings are continued, the parties shall amend the hearing date associated with all bench copies submitted electronically.

If a party fails to submit bench copies as set forth above the Court may continue the hearing, impose terms and enter other orders as may be appropriate.

(Adopted Effective September 1, 2007, September 1, 2013, September 2, 2014, September 1, 2015)